

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                  )  
                                  Plaintiff, )                          8:11CR132  
                                  )  
                                  )  
                                  v. )  
                                  )  
                                  )  
MATT McDERMOTT, )                          ORDER  
                                  )  
                                  )  
                                  Defendant. )  
                                  )  
\_\_\_\_\_)

This matter is before the Court on defendant's notice of appeal (Filing No. [140](#)) of the denial (Filing No. [121](#)) of his § 2255 motions to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 (Filing No. [119](#) and Filing No. [120](#)). The Court entered an order (Filing No. [145](#)) advising defendant he needed to prepay the costs of appeal or submit an application to proceed *in forma pauperis*, with a supporting affidavit on or before June 6, 2014.

Defendant did not remit the \$505.00 filing fee, nor did he submit a request to proceed *in forma pauperis*. Accordingly,

IT IS ORDERED that the notice of appeal as to defendant's motions to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 is dismissed.

DATED this 8th day of July, 2014.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court